

Examiner-Initiated Interview Summary	Application No. 09/867,181	Applicant(s) JONES, DANA HOWARD	
	Examiner Robert M. Pond	Art Unit 3625	

All Participants:

(1) Robert M. Pond.

(2) Mr. David Yang, #44,415.

Status of Application: Pending

(3) Mr. Dana Jones, Applicant.

(4) _____.

Date of Interview: 11 May 2007

Time: 10:25 PM EDT

Type of Interview:

- ☒ Telephonic
☐ Video Conference
☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☒ No

If Yes, provide a brief description:

Part I.

Rejection(s) discussed:

Neel in view of Nielsen and ordinary skill in the art

Claims discussed:

All pending claims

Prior art documents discussed:

US 5,838,314 (Neel) and EP 0913789A2(Neilsen)

Part II.
SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

Received proposed amendment to incorporate allowable subject matter; determined subsequent to this communication that an essential element was inadvertently omitted. See attached electronic mail message from Mr. Yang.

Part III.

- ☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.
☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.


 (Examiner/SPE Signature)

 (Applicant/Applicant's Representative Signature – if appropriate)

Pond, Robert

From: Yang, David T. [dyang@mofo.com]
Sent: Friday, May 11, 2007 10:25 PM
To: Pond, Robert
Subject: Application No. 09/867,181 - Proposed Amendment (all claims)

Dear Examiner Pond,

Again thank you for amount of time you have made available for us to examine this application; your time and attention is very much appreciated.

Attached please find a proposed amendment for all of the pending claims. As you can see we incorporated the discussed amendments into Claim 24, the only other independent claim. We canceled Claim 16 along with all of the claims dependent upon it. We also canceled some select dependent claims of Claims 1 and 24.

If you find the proposed amendment to be acceptable, we authorize you to make an Examiner's Amendment to effect the amendments.

If you have any questions or further suggestions, I am available via e-mail the whole weekend as well as Monday morning. I will be gone thereafter for the remainder of next week.

Thank you again,
David Yang

<<51361-20001proposed amendment - 1.DOC>>

=====

To ensure compliance with requirements imposed by the IRS, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this communication (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

For information about this legend, go to
<http://www.mofo.com/Circular230.html>

=====

This message contains information which may be confidential and privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not use, copy or disclose to anyone the message or any information contained in the message. If you have received the message in error, please advise the sender by reply e-mail @mofo.com, and delete the message.

=====

6/10/07

Claim 1 (currently amended): A method for distribution of products over the Internet via a facilitator, said method comprising the steps of:

a first step of receiving, from a content provider, a media product that is covered by intellectual-property rights protection, said media product being comprised of at least one of text data, music data, and video data;

a second step of selecting a sponsor message to be associated with the media product, said sponsor message being selected from a plurality of sponsor messages, said second step including accessing an activity log to verify that the total number of times which the sponsor message has been previously presented is less than the number of transaction cycles contracted by the sponsor of the sponsor message;

a ~~second~~ third step of providing the media product for sale at an Internet website;

a ~~third~~ fourth step of restricting general public access to said media product;

a ~~fourth~~ fifth step of offering to a consumer access to the media product on the precondition that the consumer views ~~a~~ the sponsor message;

a ~~fifth~~ sixth step of receiving from the consumer a request to view ~~a~~ the sponsor message, wherein the consumer submits said request in response to being offered access to the media product;

a ~~sixth~~ seventh step of, in response to receiving the request from the consumer, facilitating the display of a sponsor message to the consumer; ~~and~~

a ~~seventh~~ than eighth step of, if the sponsor message is not an interactive message, allowing said consumer access to said media product after said step of facilitating the display of said sponsor message;

a ninth step of, if the sponsor message is an interactive message, presenting at least one query to the consumer and allowing said consumer access to said media product after receiving a response to said at least one query; and

a tenth step of recording the transaction event to the activity log, said tenth step including updating the total number of times the sponsor message has been presented.

Claims 2-3 (canceled)

Claim 4 (previously presented): The method for distribution of products of claim 1, further comprising the step of paying royalties to the content provider.

Claim 5 (previously presented): The method for distribution of products of claim 1, further comprising the step of entering into a license agreement with the owner of the intellectual property rights associated with said media product.

Claims 6-8 (canceled)

Claim 9 (previously presented): The method for distribution of products of claim 1, further comprising the step of barring the content provider from pretending to be said consumer.

Claim 10 (previously presented): The method for distribution of products of claim 1, further comprising the step receiving payment from the sponsor of the sponsor message displayed.

Claim 11 (previously presented): The method for distribution of products of claim 10, further comprising the step of tendering payment to the content provider.

Claim 12 (original): The method for distribution of products of claim 1, further comprising the step of issuing to said consumer a password.

Claim 13 (original): The method for distribution of products of claim 1, further comprising the step of verifying a submitted password.

Claims 14-23 (canceled)

Claim 24 (currently amended): A method for distribution of products over the Internet via a facilitator, said method comprising the steps of:

a first step of providing a product list on an Internet website, wherein at least some of products are media products covered by intellectual property rights protection and are available for purchase, said media products being provided by content providers, wherein each said media product is comprised of at least one of text data, sound data, and video data;

a second step of selecting a sponsor message to be associated with at least one of said media products, said sponsor message being selected from a plurality of sponsor messages, said second step including accessing an activity log to verify that the total number of times which the sponsor message has been previously presented is less than the number of transaction cycles contracted by the sponsor of the sponsor message;

a ~~second~~ third step of restricting general public access to said media products;

a ~~third~~ fourth step of offering to a consumer access to a requested media product on the precondition that the consumer views a ~~the~~ sponsor message;

a ~~fourth~~ fifth step of receiving from the consumer a request to view a sponsor message in response to said step of offering;

a ~~fifth~~ sixth step of facilitating the display of a sponsor message to the consumer in response to receiving the request; and

a ~~sixth~~ seventh step of, if the sponsor message is not an interactive message, allowing said consumer access to said requested media product after said step of facilitating the display of said sponsor message;

an eighth step of, if the sponsor message is an interactive message, presenting at least one query to the consumer and allowing said consumer access to said media product after receiving a response to said at least one query; and

a ninth step of recording the transaction event to the activity log, said ninth step including updating the total number of times the sponsor message has been presented.

Claim 25 (canceled)

Claim 26 (currently amended): The method for distribution of products of Claim 24, further comprising the step of receiving payment from the sponsor of the sponsor message displayed.

Claim 27 (currently amended): The method for distribution of products of Claim 26, further comprising the step of tendering payment to the content provider.

Claim 28 (previously presented): The method for distribution of products of Claim 24, further comprising the step of issuing to said consumer a password.

Claim 29 (previously presented): The method for distribution of products of Claim 24, further comprising the step of verifying a password submitted by said consumer.

Claims 30-35 (canceled)

Claim 36 (previously presented): The method for distribution of products of Claim 24, further comprising the step of licensing from a content provider the right to distribute said media products.

Claim 37 (previously presented): The method for distribution of products of Claim 24, further comprising the step of authoring a sponsor message.

Claim 38 (previously presented): The method for distribution of products of Claim 24, further comprising the step of offering an advertiser the option to exhibit an advertisement message on said Internet web site.

Claim 39 (previously presented): The method for distribution of products of Claim 24, further comprising the step of barring a content provider from pretending to be said consumer.

Claim 40 (previously presented): The method of Claims 1, 16, or 24, wherein the media product accessed by the consumer is downloaded to a memory of a personal computer of the consumer.